



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

YACCARINO III

Serial No.: 09/503,166

Filed: February 14, 2000

For: COMPOUND BONE STRUCTURE:  
OF ALLOGRAFT TISSUE WITH  
THREADED FASTENERS

EXAMINER PHAN

Group Art Unit 3738

# 5

Election  
S. Boyce  
11/27/01

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

**ELECTION UNDER 35 USC 121**

Responsive to the Office Action of October 9, 2001, applicant responds as follows:

**REMARKS**

Applicant respectfully traverses the Examiner's restriction requirement and election. However, for purposes of responding to this action and to obtain examination, Applicant provisionally elects the invention designated by the Examiner as Group I, Species 3 represented by Figures 10-12. Applicant provisionally elects a single species, Species 4 represented by Figure 10. if no generic claim is finally held to be allowable. A listing of the claims readable thereon are claims 1-12 and 29 -32. A Preliminary Amendment accompanies this election

Prompt examination is respectfully requested.

Respectfully submitted,

GIPPLE & HALE

John S. Hale  
Registration No. 25,209

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6665-A Old Dominion Drive  
McLean, Virginia 22101  
(703) 4448-1770 ext. 304

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The Honorable Commissioner of  
 Patents and Trademarks  
 Washington, D.C. 20231

Sir:

**PRELIMINARY AMENDMENT**

Preliminary to examination please amend the claims of the above identified application as follows:

**IN THE CLAIMS**

Please amend Claim 1 as follows: